

C O N F I D E N T I A L

19 February 1974

MEMORANDUM FOR: Security Committee Members

SUBJECT : United States Intelligence Board Policy
Concerning Hazardous Activities by
Personnel Provided Access to
Compartmented Intelligence

1. Attached is a proposed United States Intelligence Board Policy Concerning Hazardous Activities by Personnel Provided Access to Compartmented Intelligence. Members will recall that an earlier version was discussed at the Security Committee Meeting of 22 January 1974, and was remanded to the undersigned to be revised in accordance with the consensus of the Committee.

2. Members are requested to be prepared to either approve or discuss the attached draft directive at the forthcoming Security Committee meeting on 26 February 1974.



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Chief, Special Security Center

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UNITED STATES INTELLIGENCE BOARD POLICY
CONCERNING HAZARDOUS ACTIVITIES BY PERSONNEL
PROVIDED ACCESS TO COMPARTMENTED INTELLIGENCE*

1. This establishes United States Intelligence Board security policy applicable to hazardous activities by personnel who have or have had access to compartmented intelligence. Policy stated herein supersedes any policies or procedures restricting hazardous activities based on previous intelligence community directives.

2. This policy is based on the need to protect sensitive intelligence information known to indoctrinated individuals from possible compromise resulting from their capture or interrogation by nations or hostile elements which are known or presumed to disregard the Geneva Conventions on treatment of prisoners of war,

*The term "compartmented intelligence" as used in this Directive is intended to include all information and materials bearing special community controls indicating restricted handling within present and future community intelligence collection programs and their end products for which community systems of compartmentation have been or will be formally established. The term does not include restricted data as defined in Section II, Public Law 83-703, Atomic Energy Act of 1954, as amended.

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to ignore immunities applicable to those with diplomatic status, and to maltreat foreign nationals residing in or traveling through territory under their control. The policy shall be implemented by restricting official assignments and by providing security guidance to such individuals to assist them in meeting their security responsibilities during unofficial, personal travel. This policy recognizes that personal travel has been held by the Supreme Court to be a Constitutional right (Kent v. Dulles, 357 U.S. 116), subject to restriction only through due process of law.

3. The criteria for applying hazardous activities restrictions to an individual are: the degree of his knowledge of sensitive intelligence, including sources and methods, and the advantage which would reasonably accrue to a hostile power or the loss which would logically accrue to the United States resulting from disclosure; and the extent to which the status of the individual would reasonably confer immunity against capture or interrogation.

4. Hazardous activities include:

(a) In areas where hostilities are taking place:

(1) Duties in, over or under a combat zone or behind hostile lines. Hostile nations are those in armed

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opposition to the U.S. or those which have demonstrated violent antagonism to the U.S.

(2) Duties in isolated or exposed areas where individuals cannot reasonably be protected against hostile action.

(b) In other areas, assignment or visits to, residence in, or travel through nations which:

(1) Have demonstrated by recent actions a disposition to violate established norms or international law covering persons engaged in official business or to maltreat persons engaged in innocent personal activities.

(2) Are used or tolerated as bases for terrorist activities which may include actions against U.S. personnel

5. The USIB Security Committee shall be responsible for developing and maintaining an up-to-date list of nations or areas to which this policy applies. USIB principals shall insure that that committee is kept informed of all information coming to their attention which directly bears on this policy.

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6. USIB principals should develop and apply the minimum level of hazardous activities restrictions consistent with the policy, criteria, and definitions herein. Such restrictions shall normally be applicable during the period of access and, if found necessary after a careful review of access, for not more than one year after termination of access. Lesser periods of restriction are desirable and encouraged. A restriction of longer than one year may be imposed in individual cases where clearly warranted by the particular sensitivity of the intelligence involved or by considerations of broad access, but not to exceed the period of the specific activities ongoing or planned, to which the individual has access. The imposition of restrictions should consider: the net balance of all circumstances existing at the time of imposition, with each case judged on its merits; and the degree to which operational requirements will dictate the need for waivers. Authority to waive all or part of a restriction rests with the Board principal who imposes it.

7. USIB principals shall provide the USIB Security Committee copies of all regulations on hazardous activities restrictions promulgated by their departments or agencies. The USIB Security Committee shall be responsible for proposing revisions to this policy as needed. Questions of interpretation of this policy, or requests for resolution of varying procedures, should be directed to that committee.